IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.2254 OF 2005

Irene Pereira ....Plaintiff
V/s.
Daisy Raju & Anr. ....Defendants

Mr.Omprakash Pande i/b Pandey & Co. for the Plaintiff.
None for the Defendants.

CORAM : S.J. VAZIFDAR, J.
DATED : 14TH DECEMBER, 2005.

P.C. :

1. The suit is filed to recover the amount lent and advanced by the Plaintiff to the Defendants.

2. The Plaintiff has filed the compilation of the original documents. The same is taken on record and marked Exhibit "A" collectively.

3. The suit is based on the loan agreement evidencing the advance of the loan of Rs.4,00,000/-. The Defendants have agreed to repay the same. The Plaintiff has given credit for the part payments made.

4. There is no appearance. There is no written statement. There is no reply to the Plaintiff's

advocate notice demanding payment. There is no provision however for interest. The interest was first demanded by the Plaintiff's advocates notice dated 7th July, 2005. There is nothing on record that militates against the Plaintiff's claim. This is a fit case where the averments and the submissions in the plaint ought to be accepted as correct.

5. In the circumstances, the suit is decreed in the sum of Rs.2,20,000/- together with interest thereon at the rate of 12% p.a. from 7th July, 2005 till payment and/or realisation.

. Refund as per rules.